

JEFFERSON COUNTY COMMISSIONERS  
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TOM LYTHGOE, CHAIR

DAVE KIRSCH

LEONARD WORTMAN

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**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
May 18, 2010**

**Present:** Commissioners Lythgoe, Kirsch and Wortman; Harold Stepper and Mike Kaufman, County Planners; Matt Johnson, County Attorney; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Ken Vivrette, Bob Sims, Louis Mills, Barbara Sunderland, Colleen Teeling, Sue Pullman, Deb Hanneman

**MINUTES**

Commissioner Lythgoe moved to adopt the minutes of May 4. Commissioner Kirsch seconded. The motion carried.

**REPORTS**

Commissioner Lythgoe noted the receipt of the April cash report from the Treasurer.

**CORRESPONDENCE**

Commissioner Lythgoe read a memo from the Personnel Officer regarding the pending upgrade to the Personnel Policy. Kellie has some questions about the policy regarding posting places for agendas. The posting places listed in the current personnel policy is current.

Commissioner Lythgoe read a memo from the Clerk and Recorder regarding a test of the ballot reader to be held on May 26<sup>th</sup>.

Commissioner Lythgoe read an e-mail from Jeff Ebert, with MDT. He requested a working group of county residents that they could meet with and discuss issues associated with the south Boulder project, specifically the bike-ped path, but also plans to accommodate wildlife crossings. The people that they are considering for the group are Sam Samson, Nita McCauley, Carolyn Lewis, (who already agreed) and they are waiting to hear back from a couple others.

Commissioner Lythgoe read a memo from Cathy Bond regarding the purchase of a new truck for the Facilities Department. A special meeting will be held on Wednesday to make a decision.

Commissioner Lythgoe read an e-mail from the US Board of Geographic Names. They have approved the proposal to apply the name of Shedhorn Creek to a stretch of creek in Jefferson County.

Commissioner Lythgoe read an e-mail from Karl Siderits regarding the metal mines grant program. Karl was expressing his confusion because several weeks ago they had decided that the metal mines grant program was going to continue for this year and he has since been told that the north end wouldn't be giving any grants this year, even though they did award grants in the south end. The north end grant committee was told that there was no money available, but it was his recollection that \$50,000 has been earmarked for this year's north end grant cycle.

Commissioner Wortman said that he would like to look at those minutes, because he doesn't remember and doesn't believe that they approved a \$50,000 grant cycle. Commissioner Lythgoe stated that he doesn't think that they approved the funding in that Commission meeting, but they did approve it a year ago, and they recently made a motion to continue the grant program.

Commissioner Kirsch stated that he thinks that the discussion is that they would *consider*, not that we would. Commissioner Lythgoe said that what was decided is that we would continue the grant program. What Karl's concern is that they were all geared up for a grant program on the north end and somehow they got the message that there wasn't going to be one, yet on the south end the grant program was continued. There are people on the north end that are wondering why, after the Commission has agreed to continue the program, it isn't being done on the north end. He can understand their confusion.

Commissioner Kirsch stated that Sheila Hogan was the chair of the north end grant committee. He spoke to her; because of the shortfall in the budget, they decided to put it off for a year. Commissioner Lythgoe reiterated that the Commission voted to continue with the grant program. Commissioner Kirsch asked if that decision could be rescinded; could they put this off one year and then look at the budget. Commissioner Lythgoe stated that the metal mines monies have nothing to do with the budget; it is a totally separate pot of money. He stated that if they agreed to do it, and we did it in the south end, it makes sense to him that it is done in the north end either.

Commissioner Lythgoe said that they need to contact the chair of the north committee and let them know to move forward. Commissioner Wortman asked if they would need to come to the Commission to set the amount for this grant cycle. Commissioner Lythgoe said that it has already been set, but that doesn't mean that they will fund \$50,000. In fact, he has a real problem funding that kind of money in a single grant cycle. Commissioner Wortman said that he is a little confused in that he thought that the money was used up in the north end and that is why they had \$15,000 left in the south. Commissioner Lythgoe stated that there is a lot more money in the north end than in the south end.

## **CALENDAR REVIEW**

5/18 Solid Waste Board - 6:30  
DUI Task Force - 6:30  
5/19 Meeting regarding purchase of Facilities truck - 1:00  
Planning Board - 7:00  
5/20 CTAC - 8:00  
RMDC - 3:00  
5/21 MACO District Meeting - Helena - 9:00

## **COMMISSION REPORTS**

### **COUNTY HEALTH INSURANCE**

Commissioner Lythgoe reported that the Commission met with Gary Habutzel, who represents our health insurance company, regarding renewal of the county's health insurance policy.

### **SUBDIVISION ROADS**

Commissioner Lythgoe reported that he went with road supervisor and planning staff on Monday to look at roads in the Sheep Mountain subdivisions.

### **FOREST SERVICE**

Commissioner Lythgoe reported that the Commissioners met with Janet Kravasik of the Beaverhead-Deer Lodge National Forest during the road meeting to discuss the schedule A agreement. They will be meeting again in a few weeks to finalize the agreement.

### **MSTI LINE**

Commissioner Wortman reported that he attended a meeting in Whitehall on the 11<sup>th</sup> regarding the MSTI line. There were people in attendance from other counties that were talking about what they are considering doing in regards to coordination.

### **BOYD ANDREW**

Commissioner Wortman reported that he attended a Boyd Andrew board meeting on Wednesday. They are in the process of splitting the company mainly to form a new entity for the management of Boyd Andrew services. One of the things that they looked at was when the Department of Corrections wanted to cut eight beds out of the meth treatment center. While Boyd Andrew was able to withstand that, if something else happened, such as a lawsuit, it could bankrupt the entire operation. Because of this, they are in the process of restructuring.

Commissioner Lythgoe asked if the cuts held true. Commissioner Wortman said that in the end only four beds were cut from the Elkhorn meth treatment center, out of 1,400 beds in the entire state. They also cut four beds out of the program in Lewistown, but Elkhorn is operating at capacity and Lewistown isn't.

### MSTI ADVISORY GROUP

Commissioner Wortman reported that on Thursday, they held the first meeting of MSTI advisory group.

### ELKHORN WORKING GROUP

Commissioner Kirsch reported Thursday he attended the Elkhorn Working Group meeting. There was a long discussion on wolves. Also, the mill in Townsend has offered \$350,000 to the group if they can convince the Forest Service to allow them in to cut the dead and dying trees. They want to take a large number of trees out of there which he feels is a good idea; it would keep them from burning. This was a long and heated discussion.

### SUBDIVISION REVIEW

#### DISCUSS AND DECIDE ON RELEASE OF SUBDIVISION IMPROVEMENT AGREEMENT BOND – KILLPACK MINOR

Mike Hoffman, County Planner, stated that a subdivision improvement agreement was entered into in February requiring the removal of a fence from encroachment affecting McClellan Creek Road. This was to be done by July 21, 2010. The fence has been removed from the easement. Mike stated that he would recommend that the Commission release the bond.

Commissioner Kirsch stated that he thought that the agreement was for the fence to be removed and reinstalled. Mike stated that they kept the scope of the agreement strictly to removal as there was no way to enforce the reinstallation, as this is something that was between the neighbors. They were dealing strictly with the encroachment to the easement.

Commissioner Wortman moved to release the bond and issue a check to Ken Vivrette. Commissioner Kirsch seconded. The motion carried.

### ITEMS FOR COMMISSIONERS ACTION OR REVIEW

#### PUBLIC HEARING – USE OF TITLE III FUNDS FOR PURCHASE OF ELKHORN SEARCH & RESCUE COMMAND TRUCK

Commissioner Lythgoe called the public hearing to order. He read an excerpt from the March 10, 2010 minutes which outlined the amount request by Elkhorn Search and Rescue and what they are requesting to purchase. Commissioner Lythgoe noted that there are three pots of Title III monies, and we will be using the 2009 monies for the purchase of the command vehicle.

Commissioner Wortman asked if the Commission received any comments regarding this. No comments have been received.

Commissioner Lythgoe called for comments. Hearing none, he closed the public hearing.

### APPOINT BOARD MEMBERS

Commissioner Wortman moved to appoint Coleen Teeling to the MSTI advisory committee. Commissioner Lythgoe seconded. The motion carried.

Commissioner Lythgoe moved to appoint Paul Johnson to the Planning board. Commissioner Wortman seconded. The motion carried.

### DISCUSS AND DECIDE ON CLARIFYING LANGUAGE FOR SADDLE MOUNTAIN, BIG DIPPER, SOUTH HILLS, MARTINEZ GULCH AND MOONLIGHT RIDGE RURAL MAINTENANCE DISTRICT

Matt Johnson, County Attorney, stated that when the RMDs were being created there was public discussion of what the fees could be used for in regards to maintenance. When Joe Carter reviewed some of the RMD language, he felt it was broad enough to allow him to use the money on certain things that the public discussions and the intent and purpose in the Commission at the time as well as Great West Engineering, was that the monies could not be used for all of those purposes. They had discussions with the Clerk and Recorder and they want to ensure that in the future when the current Elected Officials and Department Heads are gone that those in their positions would know the allowable uses for these fees. Great West did some research and drew up the language of the addendums to be adopted and attached to the original resolutions of intent.

Commissioner Wortman read the clarification language for the Resolutions of Intent for the Rural Maintenance Districts.

Commissioner Lythgoe stated that the difference between the documents is that in the first three RMDs, the County has been doing maintenance on the roads for years, and the RMD will pay only for materials to maintain the chip seal on the road. In the other two RMDs, the county has never maintained roads in those subdivisions.

Commissioner Wortman moved to adopt the clarification to South Hills, Saddle Mountain and Big Dipper RMDs. Commissioner Kirsch seconded. The motion carried.

Commissioner Wortman moved to adopt the clarifications to Martinez Gulch and Moonlight Ridge. Commissioner Kirsch seconded. The motion carried.

### DISCUSS AND DECIDE ON COST SHARE FOR GROUNDWATER SURVEY OF THE BOULDER VALLEY

Bob Sims stated a year ago the state was in the process of doing a groundwater survey across the state. The Boulder Valley was not included. He and Tom Harrington went to a meeting in Butte and were able to get on the list; we are at #16. The survey can take a long time to complete and we aren't very high on the list, so what they want to do is make an end run. They talked to people at the USDA/NRCS about a program they have called the agriculture water enhance program. When you get into the details you find that Montana is not in the priority region. We have no program that fits with the funding. However, they did find that Headwaters RC&D does have money that can be used for this type of study and there is a grant available from them. He wants to get enough money from Headwaters to get the program started. They have \$75,000

available which requires a 50% match, half of which can be in-kind. Bob stated that he has gotten support from DEQ and local economic development.

Bob stated that he has been invited to a meeting June 16 to set the criteria for next year. He thinks that he can use the fact they we have gotten funds elsewhere to start the testing to get us higher on the list for state funding.

Jefferson County will get a management tool to help guide development in the County. What is happening now is that the County is approving subdivisions and allowing exempt wells with no idea of the water available. This is akin to feeding cattle in the winter without looking at the haystack to see what you have.

Bob stated that if they find water, the potential for economic development is high, both for agriculture and development. If Jefferson County willing to put money on the table, it shows commitment and that the County is behind this.

With the resulting map and knowledge of the aquifer, Jefferson County will have the ability to actively manage DNRC and DEQ who are working blind at this time.

Bob stated that he is asking for \$37,500 in county funds, if we are successful with the grant. This would be a commitment for the first year only.

Commissioner Lythgoe asked what area this would cover. Bob stated that it would cover the Boulder Valley, basically from Boulder to Cardwell.

Commissioner Lythgoe asked where the in-kind would come from. Bob stated that in talking with Chris Town, it seems that it would come from the School of Mines in Butte.

Commissioner Lythgoe stated that he feels that it is a very worth-while project and he appreciates all the work that he and Tom have put into this.

Commissioner Wortman asked if it is federal money that was going to originally fund the study. Bob stated that there is \$4.2 million in this biennium to do the areas on the list and he thinks that they picked the top five. We are currently number 16 on the list. They picked the top five and the Governor cut five or ten percent just recently.

Commissioner Lythgoe stated that if we were to come up with this money, it would have to come from either metal mines or PILT. He stated that he feels that Bob is correct; if DEQ sees that we are going forward on our own, and that we are using our money, it may move us up on the list.

Commissioner Wortman agreed that we need a survey to find out how much water we have and where it is located.

Commissioner Wortman moved to commit \$37,500 from PILT and/or metal mines for the

groundwater study. Commissioner Lythgoe seconded. The motion carried.

#### DISCUSS COORDINATION REGARDING MOUNTAIN STATES TRANSMISSION INTERTIE PROJECT

Commissioner Lythgoe asked if anyone is in attendance from DEQ, BLM or NorthWest Energy. No one indicated that they were in attendance from any of those agencies. Commissioner Lythgoe stated that there has been an open invitation to those agencies to attend these meetings, but no one has taken us up on the invitation. Commissioner Lythgoe said that the Commission did receive a letter agreeing to enter into a cooperating agreement, but the county is seeking coordinating status. He has also spoken to Rick Hotaling, Field Supervisor from the Butte District Office, who has indicated that if the offer that we have received from the Dillon BLM office isn't acceptable, he would work with Jefferson County to come up with a suitable agreement.

#### RESOLUTION 11-2010 JEFFERSON COUNTY'S PLANNING POLICY ON ENERGY CORRIDORS AND ELECTRICAL TRANSMISSION LINES WITHIN JEFFERSON COUNTY, MONTANA

Matt stated that from discussion the previous week and earlier is to have a policy regarding energy corridors, transmission lines and other utility industrial sites within the county. While Jefferson County doesn't have a resource policy plan, we do have planning and zoning documents, including the growth policy. However, he feels that it is a good idea to have specific policies as it relates to utility and electrical transmission lines. He met with the advisory board the previous week and got some good input on language. He has added "substations, collector site and other utility industrial sites" to the original draft document that he presented to the Commission.

Matt stated that looking at statute, the planning board does have ultimate authority in Jefferson County regarding the planning of these energy corridors, including transmission lines and substations because there is no where else that it is stated in statute who would oversee where it is placed in the county. Ultimately, we may have other energy transmission lines, be it BPA who wants to put in a substation or whatever else and it would be nice to say that we have a policy in place that says please come talk to us first.

Matt said that he thinks that it is a good idea to have this policy in place for when state and federal agencies are trying to doing something within the county, they would not just look at the policy but see how their plans would affect it.

Commissioner Wortman stated that he feels that Matt is correct in adding the additional language in reading some of the documents that are out there, it is clear that this is just the first step in a major grid system to service parts of the rest of the country out of Montana and there is more to come.

Commissioner Wortman read the resolution as follows:

## **RESOLUTION 11-2010**

### **JEFFERSON COUNTY'S PLANNING POLICY ON ENERGY CORRIDORS ELECTRICAL TRANSMISSION LINES AND OTHER UTILITY INDUSTRIAL SITES WITHIN JEFFERSON COUNTY, MONTANA**

**WHEREAS**, the Board recognizes its mandate provided in Montana statutes to (1) protect and enhance the public health, safety, and welfare of the citizens of the County, (2) protect the tax base and encourage the economic stability of the County, and (3) encourage the agriculture and forestry industries and other businesses for the future growth; and

**WHEREAS**, the State of Montana has enacted laws which empower the Board of County Commissioners to develop land use, resource management, and environmental planning processes necessary to serve the public health, safety, convenience, and welfare; and

**WHEREAS**, laws and regulations of the United States ("Federal Laws") and of the State of Montana ("State Laws") mandate that planning and actions of the Federal and State agencies must be coordinated with the plans of local government, these specific laws being in part the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), the National Forest Management Act (NFMA) and the Montana Environmental Policy Act (MEPA); and

**WHEREAS**, community values that express and guide Jefferson County's comprehensive plan, known as the Jefferson County Growth Policy, are: to sustain and strengthen the economic well-being of Jefferson County's citizens; to protect and maintain Jefferson County's rural character and the community's historic relationship with natural resource development; and to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Jefferson County's citizens; and

**WHEREAS**, the Board has passed resolutions that support Jefferson County's reliance upon natural resources including Resolution 31-2002, a Resolution to Adopt a Right to Farm and Ranch Policy; Resolution 41-2004, a Resolution to Adopt a Right to Mine Policy; Resolution 32-2004, A Resolution of the County Commissioners of Jefferson County, Supporting Active Forest Management; and Resolution 06-2006, a Resolution Support Mineral Exploration in Jefferson County; and



**WHEREAS**, the Board recognizes the need for a reliable source of funds from use of resources on Federal lands wherefore Federal Lands compromise approximately 70% of land ownership within Jefferson County; and

**WHEREAS**, State owned land is found in the County and the Board recognizes its legitimate interest in the management of that State land; and

**WHEREAS**, the economic base and stability of Jefferson County is largely dependent upon commercial and business activities operated on Federal and State owned, managed, and/or regulated lands that include, but are not limited to, recreation, tourism, timber harvesting, mining, livestock grazing and other commercial pursuits; and

**WHEREAS**, the Board recognizes the applicability of the aforementioned Federal Laws and State Laws to its duties and requires full participation of the Board in the planning and regulatory processes of all Federal and State agencies which have any jurisdiction within the County; and

**WHEREAS**, the Board believes that individual private property rights withing Jefferson County must be protected from unjust condemnation; and

**WHEREAS** the Board believes that whenever possible, energy corridors and utility and transmission lines, substations, collector sites and other utility industrial sites should remain upon public lands for the benefit of the public versus infringing upon private property owner's rights and/or the Jefferson County community; and

**WHEREAS**, the Board and its land planning policies, regulations, and ordinances require that energy corridors and/or electrical transmission lines, substations, collector sites and other utility industrial sites that are at all capable of exporting or transporting electricity to markets outside of Montana that are to be proposed, planned and placed within the jurisdictional boundaries of Jefferson County, Montana must be situated to the utmost ability upon public lands as the benefits of said energy corridors and/or transmission lines, substations, collector sites and other utility industrial sites is for the public at large and should not infringe upon the rights of individual property owners and the Jefferson County community; and

**WHEREAS**, the Board has created a county natural resource advisory task force and is

intent upon developing a comprehensive resource plan by said task force.

**WHEREAS**, the Board wishes to set policy on the planning, development, and use of energy corridors and the planning, placement, and use of transmission lines, substations, collector sites and other utility industrial sites to transport electricity to consumers primarily outside the State of Montana.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby requires that all Federal and State planning and any other actions that may affect Jefferson County in relation to energy corridors and electrical transmission lines, substations, collector sites and other utility industrial sites must be coordinated with the County is its adopted plans, resolutions, and ordinances; and

**BE IT FURTHER RESOLVED**, that the Board hereby sets policy that any energy corridors and/or electrical transmission lines, substations, collector sites and other utility industrial sites that are at all capable of exporting or transporting electricity to markets outside of Montana that are to be proposed, planned, or placed within the jurisdictional boundaries of Jefferson County, Montana must be situated to the maximum ability upon public lands as the benefits of said energy corridors and/or transmission lines, substations, collector sites and other utility industrial sites is for the public at large and should not infringe upon the rights of individual property owners or the entire Jefferson County, Montana community.

**DATED** this 18<sup>th</sup> day of May, 2010.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**DAVE KIRSCH, COMMISSIONER**

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**LEONARD WORTMAN, COMMISSIONER**

Commissioner Lythgoe stated that they talked about this earlier today; we receive tax dollars from NW Energy and other public utilities, 6 or 7 companies. He asked if this has anything to do with

public land, private land, is this a question we need to ask. He isn't really concerned about how much Jefferson County gets from this transmission line, necessarily. He would like to understand that better. If, in fact, it is totally on public land, is there payment in lieu of taxes that maybe should be included in the resolution. Matt said that this is something that he will need to look into.

Commissioner Kirsch stated that when Montana Power put this line through the county, they transferred the line to BPA when it got to the county line, because they thought that they didn't have to pay taxes. That line is primarily on public land. Bob Marks fought long and hard to get tax dollars to the county and schools. Commissioner Wortman stated that it is called a beneficial use tax. It is paid on the power that flows through the lines.

Matt asked Commissioner Lythgoe if he was able to find BPA on the tax rolls. Commissioner Lythgoe named several power companies that are major taxpayers in the county. Matt noted that Commissioner Wortman has been in contact with members of the Public Service Commission, and this might be a good question to pose to them.

Commissioner Wortman stated that Brad Molner with the Public Service Commission was planning to be at this meeting but was unable to attend. He will be at the meeting next week.

Matt said that he thinks that our policy is what it is because of what our constituents want. They had a discussion that if it was all about the taxes, then they would probably have a different opinion, but this is affecting landowners in the county and the only people that can step up is the county at this point. Commissioner Lythgoe said that this is, by far, the most important thing. That is why, over the past two years, we didn't feel that the Commissioner should make a recommendation of one route over another. Whatever route we would choose, there would be landowners that would be upset. He feels that this policy is timely and extremely relevant; they must demand that the line be on public land so as not to affect private landowners.

Commissioner Lythgoe moved to adopt Resolution 11-2010. Commissioner Wortman seconded. The motion carried.

#### DISCUSS AND DECIDE ON LITIGATION AGAINST THE DEPARTMENT OF ENVIRONMENTAL QUALITY

Matt stated that he is still getting calls and e-mails from outside the county stating their wishes that their counties would be following in our footsteps regarding attempting coordination. What he has told everyone is that coordination doesn't mean that we are trying to get the upper hand on the DEQ and/or BLM so much as trying to have them consider what we have in place for planning and to sit down at the table with us and actually have meaningful discussion, versus them giving us a presentation and asking us if we have any questions. It isn't a silver bullet that can kill a project, but he thinks that it is important that a county have a right to a say at the table when something such as this project is planned to come through the county. He would like to be able to say in the future that at least we did our best in trying to get them to listen and address their plans for their project through what we have on the planning.

Matt noted that Richard Opper has called the Commission and he hopes that Mr. Opper will come down and meet with the Commission, listen to our questions and planning and give it some consideration in what they are drafting.

Matt stated that what he is suggesting next is a writ of mandamus to be filed in District Court requesting that the court mandate that DEQ must come down and coordinate with Jefferson County, meaning have meaningful discussions and consider our planning documents in anything that they are considering doing. What would be done in combination with that is an injunction order; we would be seeking a temporary restraining order up until we have a hearing to prevent DEQ from releasing the draft EIS until we have had those meaningful discussions with them regarding the EIS.

Matt stated that he would like permission to file the writ of mandamus and serve the state as soon as possible and provide it to the judge. He may sign a temporary order or he may just set it for hearing at which time he would need the Commissioners present to testify to the fact that Jefferson County could be irreparably harmed if they are not restrained from releasing the EIS. This is a complex complaint; the Commission will get a copy today. It seems like even though we will be filing the lawsuit, it would be great to have any discussion that we can with DEQ and BLM. Per statute, BLM has greater requirements to coordinate with the county. However, DEQ is following MEPA statutes, and they are required to follow all state laws unless they conflict with federal laws. Federal laws require this coordination.

Commissioner Lythgoe stated that one important thing is that in the several letters that we have sent out, they keep talking about this being so late in the process. They are federally mandated to coordinate with us; it isn't up to the county to contact them. They are required to come to the county at the beginning of the process and to get our input during the process. That argument doesn't hold any water with him, but they keep throwing that out.

Matt stated that he agrees with this. They know that we are here and have given presentations, but have probably never looked at our growth or planning policies. The coordination policy has been in place since 2008. He stated that Commissioner Lythgoe has given a great example of how coordination should work, noting that the Department of Transportation has had many meetings and worked with the county and gotten input regarding the Highway 69 project. They understand the impact to the county so much that they have changed their plans to the degree that they have been able to prevent some of the effects on county residents. That is all we are asking regarding the MSTI project. Matt stated that if they are contacted by DEQ, even though we are filing lawsuit, it is all the better to go ahead with discussions.

Commissioner Wortman moved to authorize Matt to proceed with the writ of mandamus and restraining order. Commissioner Lythgoe seconded. The motion carried.

Deb Hanneman stated that she would like to thank the Commissioners and Matt for all of the work that has been put towards the coordination process.

Commissioner Wortman moved to adjourn. Commissioner Lythgoe seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**DAVE KIRSCH, COMMISSIONER**

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**LEONARD WORTMAN, COMMISSIONER**